

Case 1:94-cv-02581-WDM-BNB Document 1473-9 Filed 06/13/2007 Page 1 of 10

FILED
IN CLERKS OFFICEIN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 94-WM-2581) Adversary Proceeding No. 94-18853-DEC,
 In re:) Chapter 7
) Case No. 92-18853-DEC
)
 Integra Realty Resources, Inc.,) Case No. 92-18854-PAC
 and)
 Integra - A Hotel & Restaurant Company)
 Tax I.D. No. 48-0764252) Case No. 92-18855-CEM
 and)
 BHC of Denver, Inc.,) Jointly Administered under
 Tax I.D. No. 74-27914828) Case No. 92-18853-DEC
)
 Debtors.)
 _____)
 Jeffrey A. Weinman, as Trustee)
 for the Integra Unsecured Creditors' Trust.)
)
 Plaintiff,)
)
 v.)
)
 Fidelity Capital Appreciation Fund, et al.,)

04 MC 10236

ASSIGNMENT OF FINAL JUDGMENT NO. 23

Known all men by these presents that Jeffrey A. Weinman, as the Trustee of the Integra Unsecured Creditors' Trust (the "Assignor"), holder of a certain judgment identified particularly by Final Judgment No., 23 entered on October 13, 1999 (the "Judgment"), registered in the United States District Court of Massachusetts on September 2, 2004, identified specifically by case number 2004MC10236 and revived by Order of the United States District Court of Colorado on March 22, 2007 as set out specifically in the Revived Final Judgment No., 23 docketed on May 24, 2007 (the "Revival"), for good and valuable consideration, the receipt of which is hereby acknowledged, does by these presents, without recourse, grant, bargain, sell, transfer and otherwise assign over unto:

Title 11 Holdings, LLC
 8245 Tournament Drive; Suite 230
 Memphis, TN 38125
 (901)748-2900

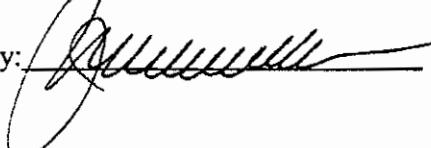
I, the undersigned, Clerk of the
 United States District Court for the
 District of Colorado, do certify that
 the foregoing is a true copy of an
 original document remaining in file
 and record in my office.

WITNESS my hand and SEAL of said
 Court this 27 day of July 2007
 GREGORY C. LANG AM
 D. O'Brien

(the "Assignee"), all right, title and interest in and to recover as judgment from each Defendant the sum to become due thereon with interest, and all rights accrued or to accrue under said judgment below and attached hereto, individually. Copies of the Judgment and Revival are attached hereto and incorporated herein by reference.

In witness whereof, said Assignor has signed these presents this 5th day of June, 2007.

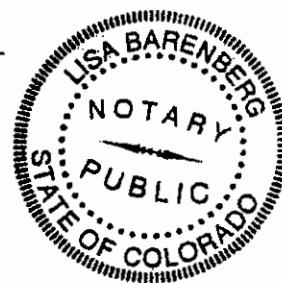
Jeffrey A. Weinman, Trustee
 Integra Unsecured Creditors' Trust
 c/o Lindquist & Vennum P.L.L.P.
 600 17th Street, Suite 1800 South
 Denver, CO 80202-5441

By: 

State of Colorado)
 County of Denver)

In Colorado in Said County on the 5th day of June, in the year 2007, before me, the undersigned, a notary public in and for said state, appeared Jeffrey A. Weinman, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Lisa Barenberg
 Notary Public
 Print Name: Lisa Barenberg
 My Commission Expires: June 8, 2009



**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
JUDGE WALKER D. MILLER**

Civil Action No. 94-cv-02581-WDM-BNB

In re:	) Adversary Proceeding No. 94-1370-PAC
INTEGRA REALTY RESOURCES, INC.,	) Chapter 11
and	) Case No. 92-18853-DEC
INTEGRA - A HOTEL AND RESTAURANT	) Case No. 92-18854-PAC
COMPANY)
Tax I.D. No. 48-0764252)
and)
BHC OF DENVER, INC.,	) Case No. 92-18855-CEM
Tax I.D. No. 74-27914828)
Debtors.	) Jointly Administered under Case No. 92-18853-DEC
)
Jeffrey A. Weinman, as Trustee)
for the Integra Unsecured Creditors' Trust,)
Plaintiff,)
v.)
Fidelity Capital Appreciation Fund, <i>et al.</i> ,)
Defendants.)

REVIVED FINAL JUDGMENT NO. 23

THE COURT, having granted Plaintiff's Motion for Revival of Judgments on March 22, 2007 (Docket No. 1401), HEREBY ORDERS that Final Judgment No. 23, originally entered by the Court on October 13, 1999, is hereby revived effective March 22, 2007, to the extent described herein.

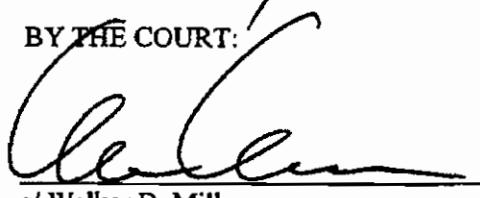
Case 1:94-cv-02581-WDM-BNB Document 1473-9 Filed 06/13/2007 Page 4 of 10

This revival is limited to those Judgment Debtors and sums owed by them that have not been satisfied since the original Judgment's entry. Accordingly, the Court expressly limits this Revival to those Judgment Debtors and sums listed on the attached redacted Final Judgment No. 23, which excludes Judgment Debtors and sums that have been satisfied. The Court authorized such redactions by Order dated August 27, 2001 (Docket No. 983).

Post-judgment interest shall continue to accrue as set forth in the original Judgment, dating from the original Judgment's entry.

DATED at Denver, Colorado, this 15th day of May, 2007

BY THE COURT:



s/ Walker D. Miller

UNITED STATES DISTRICT JUDGE

Case 1:94-cv-02581-WDM-BNB Document 1473-9 Filed 06/13/2007 Page 5 of 10

FILED
UNITED STATES DISTRICT COURT
DENVER COLO. 80202-33

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
JUDGE WALKER D. MILLER**

OCT 13 1999

JAMES H. WEINMAN - KER
CIFN/K

Civil Action No. 94-WM-2581

In re:	) Adversary Proceeding No. 94-1370-PAC
	) Chapter 11
INTEGRA REALTY RESOURCES, INC.,	) Case No. 92-18853-DEC
and)
INTEGRA - A HOTEL AND RESTAURANT	) Case No. 92-18854-PAC
COMPANY)
Tax I.D. No. 48-0764252)
and)
BHC OF DENVER, INC.,	) Case No. 92-18855-CEM
Tax I.D. No. 74-27914828	) Jointly Administered under
Debtors.	) Case No. 92-18853-DEC
)
Jeffrey A. Weinman, as Trustee)
for the Integra Unsecured Creditors' Trust,)
Plaintiff,)
v.)
Fidelity Capital Appreciation Fund, <i>et al.</i> ,)
Defendants.)

FINAL JUDGMENT NO. 23

Pursuant to and in accordance with the Order Approving Class Settlement With Right to Opt Out entered by the Honorable Walker D. Miller, Judge, on July 7, 1999, and all procedures required thereby having been satisfied, it is

ORDERED AND ADJUDGED that the Plaintiff, Jeffrey A. Weinman, as the Trustee of the Integra Unsecured Creditors' Trust, recover as judgment from each Defendant below, individually:

Case 1:94-cv-02581-WDM-BNB Document 1473-9 Filed 06/13/2007 Page 6 of 10

1. Defendant Associated Imports Inc Money Purchase Pension Plan USA April 1, 96 and trustee(s) thereof, the sum of \$16,015.00;
2. Defendant Robert G. Babson, the sum of \$126.00;
3. Defendant James P. Barry, the sum of \$21.00;
4. Defendant Dynamit Chemical Co., the sum of \$7.00;
5. Defendant Deborah A. Broderick and FMT, Custodian FBO Deborah A. Broderick IRA, the sum of \$21.00;
6. Defendant Gerald E. Brown and Ruth M. Brown, the sum of \$56.00;
7. Defendant Gerald E. Brown and Bank of Boston, Custodian FBO Gerald E. Brown IRA, the sum of \$7.00;
8. Defendant Ruth M. Brown and Bank of Boston, Custodian FBO Ruth M. Brown IRA, the sum of \$14.00;
9. Defendant C & K Components Inc., the sum of \$91.00;
10. Defendant Margaret Cuppettiello, the sum of \$66.00;
11. Defendant Cheika Enterprises Nationwide Business Service, the sum of \$42.00;
12. Defendant Gianai Ciccone, the sum of \$7.00;
13. Defendant Giovanni Ciccone and Diana Ciccone, the sum of \$756.00;
14. Defendant Marilyn Cohen, the sum of \$14.00;
15. Defendant William C. Conant II and Nancy Y. Conant, the sum of \$126.00;
16. Defendant Matthew J. Connolly, the sum of \$7.00;
17. Defendant Richard A. Crawford, the sum of \$56.00;
18. Defendant Fred Destefano, the sum of \$385.00;

19. Defendant EG&G Wakefield Engineering, the sum of \$35.00;
20. ~~Defendant Carl J. Faulkner, the sum of \$1,630.00;~~
21. Defendant Stephen D. Foster and Joan F. Foster, the sum of \$28.00;
22. ~~Defendant Gilbert B. Fernando, the sum of \$56.00;~~
23. Defendant Daphene E. Georges, the sum of \$7,504.00;
24. ~~Defendant Frederick Georgian, M.D., and Margaret Georgian, the sum of \$1,561.00;~~
25. ~~Defendant Donald W. Goldstein, M.D., the sum of \$1,47.00;~~
26. Defendant Thomas J. Goliash, Custodian FBO Nicole D. Goliash UGMA MA, the sum of \$7.00;
27. Defendant Thomas J. Goliash, Custodian FBO John D. Goliash UGMA WI, the sum of \$7.00;
28. Defendant Thomas J. Goliash, Custodian FBO Annette C. Goliash UGMA WI, the sum of \$7.00;
29. Defendant Frederick L. Goowin, Jr., the sum of \$28.00;
30. ~~Defendant Leslie R. Gordon, the sum of \$20.00;~~
31. Defendant Michael Gregory and FMT, Custodian FBO Michael Gregory IRA, the sum of \$210.00;
32. Defendant Peter A. Hayes, Custodian FBO Jonathan A. Hayes UTMA MA, the sum of \$7.00;
33. Defendant Steven M. Heutlinger, the sum of \$7.00;
34. Defendant Carlton Hoagland and Plymouth Home Nat'l Bank, Trustee FBO Carlton Hoagland IRA RO, the sum of \$749.00;

Case 1:94-cv-02581-WDM-BNB Document 1473-9 Filed 06/13/2007 Page 8 of 10

35. Defendant Howard S. Goldberg M.D. Inc. Profit Sharing Plan and Trustee(s) thereof, the sum of \$64,561.00;
36. Defendant Charles E. Jiaras and Emma E. Jiaras, the sum of \$7.00;
37. Defendant Papken P. Johnson and Margaret B. Johnson, the sum of \$14.00;
38. Defendant Robert J. Kaplan, Trustee FBO Robert J. Kaplan M.D. IRA, the sum of \$2,464.00;
39. Defendant Kin Chun Lee and Yip Man Ching Lee, the sum of \$525.00;
40. Defendant Charles P. Levine and Faylyn Levine, the sum of \$119.00;
41. Defendant Thomas M. Linnane, the sum of \$595.00;
42. Defendant Donald P. MacGuire and Plymouth Home National Bank, Trustee FBO Donald P. MacGuire IRA, the sum of \$126.00;
43. Defendant Peter G. McAvoy, the sum of \$294.00;
44. Defendant Myles McDonough, the sum of \$357.00;
45. Defendant Charles F. McGuire and Brenda M. McGuire, the sum of \$556.00;
46. Defendant Susan Mills and FMT, Custodian FBO Susan Mills IRA, the sum of \$343.00;
47. Defendant John Bruce Mitchell, Trustee FBO Nicholas Mitchell, the sum of \$21.00;
48. Defendant Kevin Murphy and Andrea Murphy, the sum of \$294.00;
49. Defendant Matthew Newman, the sum of \$7.00;
50. Defendant Robert Pino and Maureen Pino, the sum of \$70.00;
51. Defendant Joseph L. Price and Linda W. Price, the sum of \$119.00;
52. Defendant Richard C. Pupi, the sum of \$70.00;
53. Defendant Robert P. Pupi, the sum of \$77.00;
54. Defendant Marilicher Rao, the sum of \$106.00.

55. Defendant Roger P. Romei III, the sum of \$14.00;
56. Defendant Samuel J. Mazza MC Inc., Trustee FBO Mazza Profit Sharing A/C U/A/D 7/1/85, the sum of \$2,730.00;
57. Defendant Samuel J. Mazza MC Inc., Trustee FBO Mazza Pension A/C U/A/D 7/1/85, the sum of \$4,536.00;
58. Defendant Sarkis Avakian IE Fund, the sum of \$21.00;
59. ~~Defendant George Sewell, the sum of \$1,169.00,~~
60. Defendant Linda E. Stewart and Thomas A. Wilson, the sum of \$3,500.00;
61. Defendant Arthur Tellier, the sum of \$7.00;
62. Defendant Dale Tommer and Donna M. Tommer, the sum of \$56.00;
63. Defendant Dale F. Tommer, Sr. and Dorothy M. Tommer, the sum of \$84.00;
64. ~~Defendant Nathan Turransky and Phyllis Turransky, the sum of \$70.00,~~
65. ~~Defendant Jamial S. Tuteja and Harvinder K. Tuteja, the sum of \$539.00;~~
66. Defendant Jamial S. Tuteja, the sum of \$315.00;
67. Defendant Arsene P. Vaillancourt and Barbara R. Vaillancourt, the sum of \$119.00;
68. Defendant Joseph L. Vaillancourt and Arsene Vaillancourt, the sum of \$21.00;
69. Defendant Paul A. White and Pauline A. White, the sum of \$7.00;
70. ~~Defendant Norman F. Yee and Debra L. Yee, the sum of \$14.00,~~

Each with interest pursuant to 28 U.S.C. §1961 thereon at the rate of 5.285 per cent as provided by law.

Case 1:94-cv-02581-WDM-BNB Document 1473-9 Filed 06/13/2007 Page 10 of 10

IT IS FURTHER ORDERED AND ADJUDGED pursuant to Rule 54 (b) of the Federal Rules of Civil Procedure that there is no just reason for delay in the entry of this judgment, and therefore, this judgment shall be entered as a separate, final judgment.

DATED this 12th day of October, 1999.



Walker D. Miller, United States District Court Judge

EDU
U.S. DISTRICT COURT
N.D. OF OHIO

OCT 16 1999

JAMES H. MANSPEAKER

CLERK